

### **REMARKS/ARGUMENTS**

Applicant has carefully reviewed and considered the Office Action mailed on April 27, 2004, and the references cited therewith.

Claims 1, 5, 7, 15, 21, 29, 31, 32, 33, 37, 39, and 42 are amended, claim 19 is canceled, and no claims are added; as a result, claims 1-18, and 20-42 are now pending in this application.

#### **Claim Objections**

Claim 31 was objected to because of the following informalities: The limitation "N-4" should be rewritten as N=4.

Claim 39 was objected because: The limitation "the drops of the fixer are deposited before the drops of the fixer" should be rewritten as "the drops of the fixer are deposited before the drops of the overcoat". Appropriate correction has been made in the current listing of the claims submitted herewith.

#### **§112 Rejection of the Claims**

Claims 5-8, and 36 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has amended claims 5 and 7 in order to clarify the language therein and not in view of any cited art. Applicant believes the 112 issues have been removed and respectfully requests reconsideration and withdrawal of the 112 rejection for claims 5 and 7, as well as the claims which depend therefrom.

#### **§102 Rejection of the Claims**

Claims 1-4, 9-10, 12, 15-18, 20-24, 29, 32-33, 37, 39, 40, and 42 were rejected under 35 USC § 102(e) as being anticipated by Kato, et al. (U.S. Patent No. 6,439,708).

Applicant does not admit that Kato is indeed prior art and reserves the right to swear behind the reference at a later date. Nonetheless, Applicant believes the presented claims are distinguishable from the Kato reference for at least the following reasons.

Applicant's independent claims 1, 15, 21, 29, 32, 33, 37, and 42, as amended, each recite that the fixer and overcoat printheads are "half-height." The Examiner has previously indicated that this language covers allowable subject matter in connection with claim 19. Applicant respectfully submits that Kato does not include each and every element and limitation of these independent claims, as amended. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 102 rejections for these independent claims, as well as those claims which depend therefrom.

*§103 Rejection of the Claims*

Claim 11 was rejected under 35 USC § 103(a) as being unpatentable over Kato, et al. (U.S. Patent No. 6,439,708) in view of Yasunori (JP11277724)).

For the reasons provided above, Applicant submits that independent claim 1, as amended, is distinguishable from the Kato reference. Yasunori does not cure the deficiencies of the Kato reference. That is, Yasunori does not describe, teach or suggest a fixer and an overcoat printhead which are "half-height." As such, each and every element and limitation are not provided in the references, either independently or in combination, to support a 103 rejection of claim 1. Claim 11 depends from allowable claim 1. Therefore, reconsideration and withdrawal of the §103 rejection for dependent claim 11 is respectfully requested.

Claim 13 was rejected under 35 USC § 103(a) as being unpatentable over Kato, et al. (U.S. Patent No. 6,439,708) in view of Otsuki (U.S. Patent No. 6,145,961). Claim 13 depends from allowable claim 1. The Otsuki reference does not cure the deficiencies of Kato with respect to claim 1, as amended. That is, Otsuki does not describe, teach or suggest a fixer and an overcoat printhead which are "half-height." Therefore, Applicant submits that dependent claim 13 is in condition for allowance.

Claims 14, 25-27, 30, 38, and 41 were rejected under 35 USC § 103(a) as being unpatentable over Kato, et al. (U.S. Patent No. 6,439,708) in view of Moriyama, et al. (U.S. Patent No. 6,412,934).

Claim 14 depends from allowable claim 1. The Moriyama reference does not cure the deficiencies of Kato with respect to claim 1, as amended. That is, Moriyama does not describe, teach or suggest a fixer and an overcoat printhead

which are "half-height." Therefore, Applicant submits that dependent claim 14 is in condition for allowance.

Applicants independent claims 21, 29, and 37, as amended, each recite that the fixer and overcoat printheads are "half-height." The Examiner has previously indicated that this language covers allowable subject matter in connection with claim 19. Claims 25-27, 30, 38, and 41 depend from these allowable independent claims 21, 29, and 37. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 103 rejection for claims 25-27, 30, 38, and 41.

*Allowable Subject Matter*

Applicant thanks the Examiner for indicating that claims 19, 28, 31, 34 and 35 were objected to as being dependent upon a rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

For the reasons provided above, Applicant believes that the all claims presently stand in condition for allowance.

### CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (360) 212-0769 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

**CERTIFICATE UNDER 37 CFR §1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AMENDMENT Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 30<sup>th</sup> day of June, 2004.

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